

Message Text

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TO AMEMBASSY MOSCOW

INFO AMEMBASSY PARIS

AMEMBASSY WARSAW

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C O N F I D E N T I A L STATE 173533

E.O. 11652:GDS

TAGS:PFOR, US, UR, PL

SUBJECT:REQUEST FOR DECLASSIFICATION OF AMEMBASSY MOSCOW
TELEGRAM 12887 OF 20 DECEMBER 1972

CINCPAC FOR POLAD

REF: MOSCOW 10061

1. HERewith IS TEXT OF AMEMBASSY MOSCOW'S TELEGRAM OF
20 DECEMBER 1972: QUOTE

1. FOLLOWING IS UNOFFICIAL TRANSLATION OF NOTE. NO. 84,
DATED DEC. 20, PROTESTING THE ALLEGED BOMBING BY US AIR-
CRAFT OF A SOVIET VESSEL IN THE PORT OF HAIPHONG. THE
NOTE WAS HANDED TO THE DCM BY THE CHIEF OF THE USA DIVISION
OF THE MINISTRY OF FOREIGN AFFAIRS, KORNIYENKO. BEGIN
TEXT:

ON INSTRUCTIONS OF THE SOVIET GOVERNMENT THE MINISTRY OF
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FOREIGN AFFAIRS OF THE UNION OF SOVIET SOCIALIST REPUBLICS

STATES TO THE EMBASSY OF THE UNITED STATES OF AMERICA FOR TRANSMISSION TO THE GOVERNMENT OF THE USA THE FOLLOWING:

ON DECEMBER 18, 1972, DURING THE OVERFLIGHT BY AMERICAN AIRCRAFT OF THE NORTH VIETNAMESE PORT OF HAIPHONG, THE SOVIET STEAMSHIP "MICHURIN" LOCATED IN THAT PORT SUFFERED DAMAGE. THE LIVES AND SAFETY OF SOVIET SEAMEN WERE ENDANGERED.

THESE PIRATICAL ACTIONS BY US AIRCRAFT ARE A CRUDE VIOLATION OF THE RECOGNIZED NORMS OF INTERNATIONAL LAW AND THE PRINCIPLES OF FREEDOM OF NAVIGATION, INCLUDING THE 1958 GENEVA CONVENTIONS ON LAW OF THE SEA, OF WHICH THE UNITED STATES IS A SIGNATORY.

THE GOVERNMENT OF THE USA BEARS FULL RESPONSIBILITY FOR THESE PROVOCATIVE ACTIONS BY THE US ARMED FORCES AND THE POSSIBLE DANGEROUS CONSEQUENCES OF SUCH ACTIONS.

IN STATING A PROTEST TO THE GOVERNMENT OF THE USA OVER THE CRIMINAL ACT AGAINST A SOVIET MERCHANT VESSEL IN HAIPHONG PORT, THE SOVIET GOVERNMENT INSISTS THAT EFFECTIVE MEASURES BE TAKEN TO PREVENT REPETITION OF SUCH ACTIONS IN THE FUTURE. MOSCOW, DECEMBER 20, 1972. END TEXT

2. AFTER READING NOTE, KORNIYENKO ADDED THAT JUST A FEW MOMENTS AGO INFORMATION HAD BEEN RECEIVED THAT A POLISH VESSEL, MOORED CLOSE TO THE SOVIET SHIP "MICHURIN" MENTIONED IN THE NOTE, HAD BEEN HIT AND SUNK DURING THE AMERICAN RAIDS ON DECEMBER 19. SEVERAL MEMBERS OF THE POLISH VESSEL WERE REPORTEDLY KILLED AND WOUNDED. THIS INCIDENT ONCE MORE DEMONSTRATED THAT SHIPS OF THE SOVIET UNION AS WELL AS VESSELS OF OTHER NATIONS ANCHORED IN HAIPHONG HARBOR CONTINUE TO BE ENDANGERED AS A RESULT OF THE BANDIT ACTIONS OF THE US AIR FORCE. HE SAID HE WISHED TO STRESS ONCE MORE THE COMMENT MADE IN TASS STATEMENT PUBLISHED IN THE DECEMBER 20 SOVIET PRESS THAT THE GOVERNMENT OF THE USSR CONSIDERS THE SITUATION EXTREMELY SERIOUS AND EXPECTS THE US TO TAKE PROMPT AND EFFECTIVE ACTION TO PREVENT SIMILAR INCIDENTS IN THE FUTURE.

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3. IN RESPONSE, DCM REITERATED COMMENTS MADE BY ZIEGLER IN PRESS BRIEFING DECEMBER 19. DCM NOTED THAT ONLY OBSTACLE TO PEACE IN VIET-NAM WAS A DECISION ON PART OF HANOI TO APPROACH DISCUSSIONS IN A CONSTRUCTIVE WAY. DCM ADDED THAT IN THE MEANTIME USG CANNOT ALLOW THE PEACE TALKS TO BE DELAYED AS A COVER-UP FOR A BUILD UP OF NVN FORCES THAT COULD LEAD TO AN OFFENSIVE IN SOUTH VIETNAM. IN ADDITION,

DCM NOTED THAT SOVIET GOVERNMENT MUST BE AWARE OF US POLICY CALLING FOR THE EXERCISE OF UTMOST PRUDENCE AND CAUTION IN SELECTION OF BOMBING TARGETS. IF FACTS ESTABLISHED, HOWEVER, THAT DAMAGE TO SOVIET VESSEL HAD TAKEN PLACE AS A RESULT OF A BOMB HIT, THIS WOULD HAVE BEEN INADVERTENT AND VERY MUCH REGRETTEED ON PART OF USG.

4. KORNIYENKO REPLIED THAT SINCE DCM HAD RAISED MATTER OF NEGOTIATION, IT SHOULD BE POINTED OUT THAT SOVIET GOVERNMENT TAKES POSITION THAT HANOI IS PREPARED TO SIGN AGREEMENT TODAY OR TOMORROW AS AGREED UPON ON OCTOBER 22. IT IS US RATHER THAN NORTH VIETNAM THAT IS DELAYING AGREEMENT. SOVIET GOVERNMENT VIEWS INTENSIFIED BOMBINGS AS AN ATTEMPT TO INFLUENCE HANOI TO ACCEPT AMERICAN CONDITIONS FOR AN AGREEMENT. FINALLY, SOVIET GOVERNMENT CONSIDERS ACTIONS OF US AIR FORCE AS HOSTILE TO USSR AND OTHER COUNTRIES WHICH HAVE SHIPS ANCHORED IN HAIPHONG.

5. DCM REFERRED KORNIYENKO TO KISSINGER PRESS CONFERENCE COVERING STATUS OF THE NEGOTIATIONS.

6. IN REPLY TO QUERY, SOVIET SIDE INDICATED THAT IT HAS AS YET RECEIVED NO NEWS WHICH WOULD INDICATE THAT DAMAGE TO "MICHURIN" RESULTED IN ANY DEATHS OR CASUALTIES.

7. KORNIYENKO GAVE NO INDICATION WHETHER OR NOT SOVIET PROTEST NOTE WOULD BE PUBLISHED. END QUOTE KISSINGER

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